IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 22924 of 2004

Between:

T.M. Reddy, S/o. Narsi Reddy,
C/o. Sri Sai Electrical Shop,

DVK Road, Nalgonda,

Nalgonda district.

..... PETITIONER

AND

1. The Regional Manager,

APSRTC, Nalgonda Region,

Nalgonda District.

2 The Divisional Manager,

APSRTC, Nalgonda Division,

Nalgonda District.

3 The Depot Manager,

APSRTC, Miryalaguda Bus Depot,

Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in issuing the proceedings No. 02/2(15)/97-MLG, dated 11-2-1998 as illegal, arbitrary and unjust and consequently set aside the proceedings No. No. 02/2(15)/97-MLG, dated 11-2-1998 issued by the 3rd respondent and pass such further other order or orders.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court at the admission stage, made the following:

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO:22924 of 2004

ORDER:

The petitioner has already availed the statutory remedy by filing an appeal and it is pending. Therefore, prosecuting this writ petition is nothing but abuse of process of Court. Hence, this writ petition is totally misconceived as for the same punishment imposed by the disciplinary authority an appeal is pending.

Accordingly, the Writ Petition is dismissed with a direction to the 1st respondent to pass appropriate orders on the appeal filed by the writ petitioner.

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December 10, 2004

KVR

TO

1 The Regional Manager, APSRTC, Nalgonda Region,

Nalgonda District.

2 The Divisional Manager, APSRTC, Nalgonda Division,

Nalgonda District.

3 The Depot Manager, APSRTC, Miryalaguda Bus Depot,

Nalgonda District.

4 Two C.D. Copies.